

nett county; J. W. Perry, of Johnston county, and F. K. Borden, of Wayne county, and their associates, successors and assigns, be and they are hereby constituted and created a body politic and corporate under the name of the Atlantic and Western Railroad Company, and as such may sue and be sued, plead and be impleaded in the courts of the state, and shall have the powers herein granted. Said company shall have power and authority to make by-laws; to buy, hold, use, sell, mortgage or otherwise transfer all such real and personal estate as may be necessary to and will advance the interest of said company; to elect or appoint all necessary officers and prescribe their powers and duties; and to have and use a common seal which it may change at pleasure, and to have and exercise all and every other power, privilege, franchise and right common or necessary to similar corporations, and not inconsistent with the laws of this state or the provisions of this act.

Sec. 2. That said company be and is hereby authorized and empowered to survey, lay out, construct and equip, maintain and operate, by steam or other motive power, a railroad with one or more tracks from some point at or near Goldsboro, in the county of Wayne, westwardly, by such route or routes as the directors of said company may determine through the counties of Wayne, Johnston, Harnett, Moore and Montgomery, and thence to or in the direction of Concord, Salisbury or Charlotte, and thence westwardly to the Tennessee state line. Said company may also build and operate branch roads, trams, etc.

Sec. 3. That for the purpose of surveying, constructing, maintaining and operating said lines of railroads said company is hereby empowered: First—To cause such examination and surveys to be made as shall be necessary to the selection of the most advantageous route or routes, and for such purpose its officers and agents, servants and employees may enter upon the land or water of any person. Second—To take and hold such voluntary grants of real estate, or other property, as may be made to it to aid in the construction, maintenance and operation of its road. Third—To purchase, hold and use all such real estate and other property as may be necessary for the construction and maintenance of its roads or stations, and all other accommodations necessary to accomplish the objects of its corporation, and to lease or buy land necessary for its use. Fourth—To lay out its road, not exceeding two hundred feet in width, and to construct the same; and for the purpose of cutting any embankments, and for obtaining gravel and other materials, may take as much land as may be necessary for the proper construction, operation and security of the roads, or to cut down any trees that may be in danger of getting on the track or obstructing the right of way. Fifth—To construct its road across, along or upon any stream of

Body corporate.
Corporate name.
Corporate powers.

Empowered to construct and operate a railroad.

Corporate powers.

Surveys of routes.

Voluntary grants of real estate.

Purchase and hold real estate, etc.

To lay out road.

To construct road across streams, etc.